

REMARKS

Summary of the Office Action

Claims 1-6 and 23-28 are allowed.

Claims 1-6 and 23-28 are rejected on the ground of non-statutory obviousness-type double patenting as being unpatentable over claims 1-4, 6-8, 10, 11, 13-17, 19, 21-23, and 25-27 of co-pending Application No. 09/924,272 (hereinafter "the '272 application").

Applicant's Reply to the Obviousness-Type Double Patenting Rejection

Claims 1-6 and 23-28 are rejected on the ground of non-statutory obviousness-type double patenting as being unpatentable over claims 20-26 of co-pending Application No. 09/924,272.

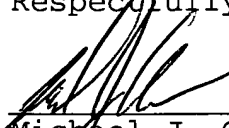
Applicant submits herewith a Terminal Disclaimer Under 37 C.F.R. § 1.321(b,c), disclaiming the terminal portion of the term of any patent to be issued on the present application beyond the expiration of the full statutory term of any patent to be issued on the '272 application, and requiring that any patent issuing on the present application be commonly-owned with any patent to be issued on the '272 application. In applicant's transmittal letter, which is being submitted concurrently herewith, the Director has been authorized to charge the amount of \$130.00, in payment of the statutory disclaimer fee set forth in 37 C.F.R. § 1.20(d), to Deposit Account No. 06-1075 (Order No. 000174-0221).

Accordingly, applicant respectfully requests that the rejections of claims 1-6 and 23-28 the ground of non-statutory obviousness-type double patenting be withdrawn.

Conclusion

Applicant respectfully submits that this application is now in condition for allowance. Accordingly, prompt consideration and allowance of this application are respectfully requested.

Respectfully submitted,



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